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KALAMAZOO GAZETTE

Can EPA ensure water's safety?

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Despite assurances from the U.S. Environmental Protection Agency, Kalamazoo City Manager Kenneth Collard says he's not convinced Kalamazoo's groundwater supply is safe if toxic material removed from the Kalamazoo River is dumped in the city. Collard is challenging the EPA to "certify" that the Allied Paper Inc. landfill, located along Portage Creek between Cork and Alcott streets, can meet existing federal standards for accepting river sediment laden with polychlorinated biphenyls (PCBs), a chemical the government considers a likely carcinogen.

"If they think this is safe, then certify it and I'll take you to court because you won't be able to prove it," Collard said Wednesday in a meeting with Kalamazoo Gazette editors and reporters. "The EPA's own standards say these types of disposal sites have to be triple-lined with a double leachate system in place. That's absolutely not the case here." EPA officials concede the landfill doesn't meet federal standards for PCB disposal. But Shari Kolak, of the agency's Region 5 Superfund Division in Chicago, said several attributes of the site, including hydrology, soil composition and a quasi-liner formed by previous toxic material dumped there, make it a good choice.

"This is an appropriate disposal site," Kolak said. "We would never compromise human or environmental health."

Kolak said the EPA plans to meet with city officials and residents in the coming weeks to correct "misinformation."

Kalamazoo's most recent municipal water testing showed no signs of contaminants, Collard said. City water is supplied to about 100,000 customers in the Kalamazoo area. Collard said the city had not pressed the EPA for a cleanup timetable for removing 1.2 million cubic yards of contaminated river sediment dumped at the landfill "temporarily" more than eight years ago.

"Did we have a responsibility? Arguably yes and arguably no," Collard said.

"But now for all intents and purposes, they've announced this is permanent. And that's

a problem because this is in the middle of a neighborhood and near a (city) well site." City officials were not part of negotiations for the site because that would have violated the \$21 million settlement agreement between the EPA and the responsible companies, Kolak said. The EPA (\$1 million) and state (\$500,000) also are contributing to the cleanup of the 1.5-mile stretch of river-bottom between Plainwell and Otsego. The companies -- Georgia Pacific and Millennium Holdings LLC -- will also pay \$15 million to determine whether there are more PCB hot spots along the 80-mile Superfund stretch of the Kalamazoo River.

"We couldn't have gotten the agreement if the public or the city was involved because it would have violated the settlement," Kolak said. "And if there was no settlement, we'd be at an impasse like we were three years ago. Nothing would be happening." Collard said city officials are examining recent, negotiated agreements with several Wisconsin paper companies for a river cleanup plan that also drew public opposition there.

"There are some interesting similarities," Collard said. "(EPA's) Region 5 can have the same type of waste trucked from Wisconsin to Detroit, but not from here to Detroit." Meanwhile, Collard said city officials are examining everything from land-use and zoning statutes to city control over public rights of way to prohibit trucks from bringing 132,000 cubic yards of river sediment to the landfill in the Milwood neighborhood. He offered no specific proposals Wednesday, saying Kalamazoo's most potent strategy is citizen pressure on state and federal elected officials.

The city's Web site includes talking points, copies of letters sent to lawmakers by Mayor Hannah McKinney and information on how citizens can contact their representatives.

"We've had several hundred contacts from the public on this issue," Collard said. "In my 15 years (as a Kalamazoo city employee) this is the most reaction to something from individual citizens that I've ever seen."

Collard said areas along the stretch of the river targeted for cleanup should be concerned about becoming the next dump site.

"They've (EPA) acknowledged they don't have a disposal plan for the rest of it, and what's scheduled here is just a drop in the bucket," Collard said. "What's unique about this is, you're grabbing PCBs out of a rural river and taking it into the middle of an urban neighborhood, where kids are playing and where the water supply is drawn from in some cases."

Collard said other area governmental units, including Kalamazoo County, will be asked to pass a joint resolution opposing the Milwood dumping plan "to show the solidarity of the region."

The cleanup project is "time critical" because 2006 data from the stretch of the river to be cleaned showed "surprisingly high" PCB levels of nearly 200 parts per million in river banks and in the midstream river beds, Kolak said. That's nearly 10 times the level that the EPA considers the threshold for possible harm to humans.

Gazette correspondent

Chris Killian contributed to this report.